

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

Preliminary Matter

An Information disclosure Statement (IDS) is filed herewith. This IDS contains information from the corresponding Japanese application (JP2002-044232): (1) Decision to Grant, mailed on August 26, 2008, with English translation. Applicant respectfully requests that the Examiner consider this information and return an initialed copy of the SB/08 at his earliest convenience.

Disposition of Claims

Claims 1, 4-5 and 7-8 are pending in this application. Claim 1 is independent. The remaining claims depend directly from claim 1.

Rejection(s) under 35 U.S.C. § 103

Claims 1, 5, 7, and 8 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2002/0151627 to Matsushima in view of JP 07082533 ("JP '533"). Claim 4 is rejected under 35 U.S.C. § 103(a) to Matsushima and JP '533, as applied to claim 1, and further in view of either U.S. Patent No. 4,772,672 to Isozaki or JP 07011152.

The Applicant respectfully notes that Matsushima is a § 102(e) reference and that both the present application and Matsushima are, and were at the time the invention was made, assigned to a common assignee, now named Sony Chemical and Information Device Corporation. The assignment (and change of name) for the present application are recorded at

Reel 016041, Frame 0799 and Reel 018550, Frame 0258, and the assignment (and change of name) for Matsushima are recorded at Reel 021794, Frame 0292. Thus, under 35 U.S.C. § 103(c), Matsushima cannot be used as the basis for a § 103 rejection. Therefore, all of the § 103 rejections that are based on Matsushima are untenable and must be withdrawn. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17155/003001).

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Respectfully submitted,

By 

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Attachments